

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA

Plaintiff,
vs.

Case No.: 2:23-cr-20191-MSN

**EMMITT MARTIN, III,
TADARRIUS BEAN, DEMETRIUS
HALEY, DESMOND MILLS, JR.,
AND JUSTIN SMITH**

Defendant.

MOTION TO CONTINUE

Come Now Defendant, Tadarrius Bean, by and through counsel, filing this *Motion to Continue* and in support thereof would show this Court the following, to wit:

1. This case is currently on the Court's calendar to be heard for sentencing purposes on January 22, 2025.
2. That a Pre-Sentence Report has been prepared and a response has been completed and served by Defendant Bean.
3. That Defendant Bean is currently set for a state trial that commences on April 28, 2025.
4. That the state court trial involves the exact set of facts that is the subject matter of the case before this Court.
5. That the U.S. Probation Service has prepared a Presentence Report that contains positions that Defendant Bean vehemently opposes and objects to. These positions will require additional research and preparation time.
6. That the right to actively participate in a sentencing hearing is hindered by the fact that he has a pending state court trial involving the same facts for which he went to trial before this Court.

7. Assistant U.S. Attorney Elizabeth Rogers, Esq. has been consulted on this matter and does not oppose a continuance based on needing additional preparation time. However, AUSA Rogers is not in agreement with this matter being continued until the resolution of the State case.

Defendant Bean hereby asks that this Court indefinitely continue his sentencing until the State court charges are disposed.

Respectfully submitted,

PERRY GRIFFIN, PC

/s/ John Keith Perry, Jr.

John Keith Perry, Jr., #24283

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CERTIFICATE OF SERVICE

I, John Keith Perry, certify that I have filed a true and correct copy of the above and foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to counsel of record.

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This the 3rd day of January 2025.

/s/ John Keith Perry, Jr.
JOHN KEITH PERRY, JR.